

MEMORIAL RESOLUTION

H.C.R. 7 (Braecklein): Memorial resolution for The Honorable T. H. McDonald.

WELCOME RESOLUTION

S.R. 11 - By Clower: Extending welcome to Ace and Madge Reid.

ADJOURNMENT

The President announced the purpose of the Joint Session had been accomplished and declared the Senate at 11:31 o'clock a.m. would stand adjourned until 9:30 o'clock a.m. tomorrow in accordance with a motion previously adopted in the Senate.

THIRD DAY

(Thursday, January 11, 1979)

The Senate met at 9:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Andujar, Blake, Braecklein, Brooks, Creighton, Doggett, Farabee, Harris, Howard, Jones of Harris, Jones of Taylor, Kothmann, Longoria, Mauzy, Meier, Moore, Ogg, Parker, Patman, Price, Schwartz, Short, Snelson, Traeger, Vale, Williams.

Absent-excused: Clower, McKnight, Mengden, Santiesteban, Truan.

A quorum was announced present.

The Reverend Dr. Browning Ware, First Baptist Church, Austin, offered the invocation as follows:

Eternal God, Father of all Senators, preachers and other assorted sinners,
Our needs today are equal to all who have been given the mandate to foster just and compassionate order among persons.

Forgive us of glibness and duplicity. Brace us with integrity. And with severe mercy remind us that personal discipline produces corporate harmony.

In Your name we pray, Amen.

On motion of Senator Moore and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

LEAVES OF ABSENCE

Senator McKnight was granted leave of absence for today on account of important business on motion of Senator Snelson.

Senator Mengden was granted leave of absence for today on account of important business on motion of Senator Harris.

Senator Clower was granted leave of absence for today on account of important business on motion of Senator Doggett.

Senator Truan was granted leave of absence for today on account of important business on motion of Senator Doggett.

Senator Santiesteban was granted leave of absence for today on account of important business on motion of Senator Meier.

SENATE BILLS ON FIRST READING

The following bills were introduced, read first time and referred to the Committee indicated:

S.B. 115 by Brooks Human Resources
Relating to the acquisition of real and personal property by community centers for mental health and mental retardation services.

S.B. 116 by Meier Jurisprudence
Relating to a criminal offense involving tampering with identification markings on personal property or possession of property on which those numbers have been tampered with.

S.B. 117 by Mengden Jurisprudence
Relating to the rights of a living fetus removed from the body of a woman and to the protection of a living fetus born as a result of an abortion; amending Title 2 of the Family Code by adding Sections 12.05, 15.022, and 17.011, and by adding Subdivision (9) to Section 11.01.

S.B. 118 by Mengden Human Resources
Relating to abortions in tax-supported medical facilities.

S.B. 119 by Mengden Economic Development
Relating to benefits for abortions under government employee insurance.

S.B. 120 by Harris Economic Development
Relating to the licensing and regulation of public adjusters and providing penalties.

S.B. 121 by Clower State Affairs
Relating to the method of determining the ballot order in a general election.

S.B. 122 by Clower State Affairs
Providing for the disclosure of the party affiliation of candidates by persons contracting for political advertising; prescribing a criminal penalty; and declaring an emergency.

S.B. 123 by Creighton Intergovernmental Relations
Relating to the creation, jurisdiction, administration, and procedures of the County Court at Law of Wise County; making other provisions relative to the courts in Wise County and the membership of the juvenile board.

S.B. 124 by Doggett State Affairs
Relating to a mandatory retirement age for public employees.

S.B. 125 by Meier, Schwartz State Affairs
Relating to the operation of the Texas Turnpike Authority.

SENATE CONCURRENT RESOLUTION 6

Senator Andujar offered the following resolution:

S.C.R. 6, Commending Dr. Dorothy Patras, recipient of the Caldwell Gold Medal for Distinguished Service of the Texas Society of Pathologists.

The resolution was read.

On motion of Senator Andujar and by unanimous consent, the resolution was considered immediately and was adopted.

RESOLUTION SIGNED

The President announced the signing in the presence of the Senate, after the caption had been read, the following enrolled resolution:

H.C.R. 7

CO-AUTHOR OF SENATE BILL 1

On motion of Senator Meier and by unanimous consent, Senator Price will be shown as Co-author of **S.B. 1**.

MESSAGE FROM THE GOVERNOR

The following Message from the Governor was read and was referred to the Committee on State Affairs, Subcommittee on Nominations:

Austin, Texas
January 11, 1979

TO THE SENATE OF THE SIXTY-SIXTH LEGISLATURE, REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

TO BE A MEMBER OF THE TEXAS CONSERVATION FOUNDATION:

For a six-year term to expire January 31, 1981:

MR. ROBERT R. NORRIS of Lubbock, Lubbock County is replacing Mr. Jim DeWitt Bowmer of Killeen, Bell County, who resigned.

TO BE A MEMBER OF THE METRIC SYSTEM ADVISORY COUNCIL:

For a two-year term to expire August 29, 1979:

MR. TOM E. ELLIOTT of Lubbock, Lubbock County is replacing the Honorable Walter H. Richter, Austin, Travis County who resigned.

TO BE A MEMBER OF THE TEXAS COLLEGE AND UNIVERSITY SYSTEM COORDINATING BOARD:

For a six-year term to expire August 31, 1981:

MR. HARLAN ROGERS CROW, of Dallas, Dallas County, is replacing Mr. John W. Fainter, Jr. of Houston, Harris County, who resigned.

TO BE A MEMBER OF THE BOARD OF REGENTS OF THE UNIVERSITY OF HOUSTON:

For a six-year term to expire August 31, 1983:

MR. JOEL M. CUMMINGS of Houston, Harris County is replacing Mr. James A. Elkins of Houston, Harris County, who resigned.

TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE MUNICIPAL RETIREMENT SYSTEM:

For a six-year term to expire December 31, 1984:

MR. JERRY H. HODGE of Amarillo, Potter County is replacing Mr. William A. Puett, Jr. of Temple, Bell County, whose term expired.

MR. GEORGE DIBRELL of Port Arthur, Jefferson County, is replacing Mr. Whitt Johnson of Houston, Harris County, whose term expired.

For a six-year term to expire December 31, 1982:

MR. ERNEST M. BRIONES of Corpus Christi, Nueces County, is replacing Lt. Walter E. R. Wilkins of Corpus Christi, Nueces County, who resigned.

Respectfully submitted,

/s/Dolph Briscoe
Governor of Texas

MESSAGE FROM THE GOVERNOR

The following Message from the Governor was read and was filed with the Secretary of the Senate:

Austin, Texas
January 11, 1979

TO THE MEMBERS OF THE SIXTY-SIXTH LEGISLATURE, REGULAR SESSION:

Pursuant to the provisions of Section 5, Article III of the Constitution of Texas, I herewith submit as an emergency matter the following:

Appropriation of \$161,805 out of general revenue for the operation of the Texas State Board of Registration for Professional Engineers through 8/31/79.

Pursuant to the provisions of Section 5, Article III of the Constitution of Texas, I herewith submit as an emergency matter the following:

Appropriation of \$907,000 out of general revenue for the operation of the Office of the Attorney General through 8/31/79.

Pursuant to the provisions of Section 5, Article III of the Constitution of Texas, I herewith submit as an emergency matter the following:

Appropriation of \$581,682 out of general revenue for the operation of the Railroad Commission of Texas through 8/31/79.

Respectfully submitted,

/s/Dolph Briscoe
Governor of Texas

AT EASE

The President at 10:38 o'clock a.m. announced the Senate would stand At Ease to await the message from the House that they were organized and ready to transact business.

IN LEGISLATIVE SESSION

The President called the Senate to order as In Legislative Session at 10:49 o'clock a.m.

HOUSE NOTIFIED SENATE

A Committee from the House of Representatives appeared at the Bar of the Senate and Mr. Heatly for the Committee informed the Senate that the House was organized and ready to transact business.

MOTION TO ADJOURN

On motion of Senator Moore the Senate at 10:53 o'clock a.m. agreed to stand adjourned at the conclusion of the Joint Session until 11:00 o'clock a.m., Monday, January 15, 1979.

JOINT SESSION

(To Count Votes for Governor and Lieutenant Governor)

The President announced that the hour for the Joint Session of the two Houses to count the votes for Governor and Lieutenant Governor, pursuant to the provisions of **S.C.R. 2** had arrived.

Accordingly, the Senators present, accompanied by the Secretary of the Senate, repaired to the Hall of the Representatives at 10:00 o'clock a.m.

The President, by invitation of the Speaker of the House, occupied a seat on the Speaker's Rostrum.

The President called the Senate to order and announced a quorum of the Senate present.

The Honorable Bill Clayton, Speaker of the House, announced the purpose of the Joint Session and announced a quorum of the House present.

Speaker Clayton then requested the tellers appointed, pursuant to the provisions of **S.C.R. 2**, to come forward and receive the returns of votes cast for Governor and Lieutenant Governor at the General Election, which returns had been duly delivered by the Secretary of State to the Speaker of the House of Representatives.

Senators Andujar, Jones of Harris, Brooks, Jones of Taylor and Snelson on the part of the Senate, and Representatives Nowlin, Blanton, Schlueter, Lauhoff

and Bird on the part of the House, then received the returns and proceeded to count the votes cast for Governor and Lieutenant Governor at the last General Election.

AT EASE

The Speaker announced at 10:03 o'clock a.m. the Joint Session would Stand at Ease pending receipt of the report of the Joint Committee of Tellers.

IN LEGISLATIVE SESSION

The Speaker called the Joint Session to order as In Legislative Session at 11:48 o'clock a.m.

The Tellers presented the following report, which was read to the Joint Session:

Austin, Texas
January 11, 1979

Honorable William P. Hobby
President of the Senate

Honorable Bill Clayton
Speaker of the House of Representatives

Sirs: We, the joint committee of tellers appointed by the presiding officers of the Senate and House of Representatives to canvass the votes cast at the last general election held in the State of Texas on November 7, 1978, for Governor and Lieutenant Governor of the State of Texas, as shown by returns delivered to us by the Secretary of State, beg leave to report that we have performed that duty and that the result of our canvass is as follows:

There were votes cast for Governor, as follows:

Bill Clements, Republican Party	1,183,828
John Hill, Democratic Party	1,166,919
Mario C. Compean, Raza Unida Party	14,213
Sarah Jean Johnston, Socialist Workers Party	4,624
Others	115

There were votes cast for Lieutenant Governor, as follows:

William P. Hobby, Democratic Party	1,434,613
Gaylord Marshall, Republican Party	760,642
Andrea Doorack, Socialist Workers Party	14,855
Others	182

Respectfully submitted,

ANDUJAR, Chairperson
BROOKS
JONES OF HARRIS
JONES OF TAYLOR
SNELSON
For the Senate